

STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

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filed in the KCC
Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director
filed. Ran D 6/1/83

May 20, 1983

Mr. Gary Stanton
General Superintendent
Kiewit Western Company
320 West 3900 South
P.O. Box 7780
Murray, Utah 84107-0780

AM/023/002
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RE: Material Removal
Request May 18, 1983;
Inspection of Site
Tooele County, Utah

Dear Mr. Stanton:

After your visit to our office, and subsequent letter of inquiry addressed to Dr. Shirazi on May 18, 1983, I have been further able to investigate the situation. Apparently, as stressed in our conversation, the requirements for the needed material have approximated an emergency situation. The need and timing of the action requires immediate attention to insure the safety of the Union Pacific Railroad's causeway due to rising waters. Therefore to enable a better assessment of the Division's jurisdiction over the matter a site visit was made on Friday, May 20, 1983.

The subject area in Black Rock Canyon appears to be composed of colluvium derived from the Paleozoic limestone and quartzite at the Oquirrh Range interspersed with a few minor limestone outcrops. The material approximates a boulder strewn, sandy gravel and as such does not fall into the category of mineral deposits as determined by the Attorney General's office in 1975; hence, it appears that the Division will have no regulatory authority over the matter.

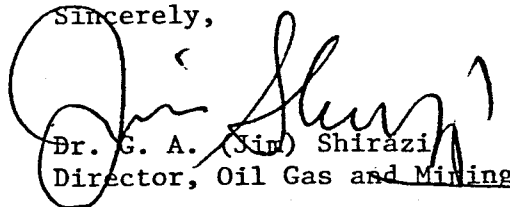
It is worth noting however, that should blasting or ripping of the outcrops occur, a different interpretation may be applied. The area appears to have been previously used as a quarry of some type and also reclaimed. Furthermore, several dikes or levees have been constructed as well as ripped structures for the purposes of environmental preservation. I would hope that these be maintained or replaced if disturbed. The minor seeps and muddy areas of the canyon appear to be caused by the spring thaw of the upper snowpack and should not present a serious concern, although the areas should be avoided if possible until later in the year.

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In view of the fact that the area has been reclaimed once already with good success, the Division requests that Kiewit Western's plans for revegetation be coordinated with Division personnel's suggestions. Because the lease with Kennecott appears to be the major document effecting reclamation obligations, this commitment would be voluntary. However, coordination of topsoil removal, sampling procedures for determining potential soil amendments and choice of seed types and amounts could benefit from State technical advice. Should you wish to make use of this service, please contact our office and every effort will be made to assist you.

Sincerely,



Dr. G. A. (Jim) Shirazi
Director, Oil Gas and Mining

JS/TNT:1m

cc: Ron Daniels, DOGM
Jim Smith, DOGM
Tom Tetting, DOGM